

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
)	
v.)	CRIMINAL NO. 20-cr-10025
)	
JAIRO AGUDELO,)	
Defendant.)	
)	

**DEFENDANT'S ASSENTED-TO MOTION FOR *TEMPORARY*
MODIFICATION OF RELEASE CONDITION**

Now comes Jairo Agudelo and hereby moves that this Honorable Court temporarily modify the conditions of Mr. Agudelo's release; specifically, Mr. Agudelo requests permission to leave the home on *Friday, May 22, 2020 from 9:00am until 2:00pm*. He seeks permission so that he may help his wife move merchandise that relates to her business. Specifically, he will travel from his home in Revere, MA to Ashland, MA to Everett, MA and back home.

The government assents to to the motion.

Current Release Condition

On February 25, 2020, this Court ordered that Mr. Agudelo be released, subject to a series of conditions. *See* D. 27, "ORDER setting conditions of release as to Jairo Agudelo." Condition (8)(t)(ii) compels Mr. Agudelo to home confinement, subject to a schedule that he and probation can "work out" together.

Reason for Request

Mr. Agudelo learned at 5:00pm on May 21, 2020), that his wife needs his help on May 22, 2020 transporting foodstuffs from Ashland, MA to Everett, MA.

The defendant lives with his wife, Maria Viera, in Revere. She also serves as Mr. Agudelo's third-party custodian. Ms. Viera owns and operates her own food import business, called "Yellow Glow." On Friday, May 22, 2020 Ms. Viera needs

Mr. Agudelo's physical assistance in moving twenty-five (25) boxes of cassava melons from *100 Waverly Street, Ashland, MA* to *155 Market Street, Everett, MA*. She anticipates that she will need Mr. Agudelo's labor for approximately five (5) hours.

Mr. Agudelo sought permission from probation for this task. Probation denied the request as it was made with insufficient notice. In order to leave his house for this purpose on such short notice, Mr. Agudelo must obtain the permission of the court.

Ms. Agudelo has Honored his Release Conditions

Jairo Agudelo has, thus far, fulfilled his release conditions. He is outfitted with a GPS bracelet, which allows uninterrupted electronic monitoring. Allowing him to leave the house for a five-hour period poses little to no threat to public safety. Meanwhile, the incentive not to return to jail is adequate protection against Mr. Agudelo engaging in drug or money laundering business.

Mr. Agudelo complied with the court's previous order. *See* D. 49, "ORDER entered granting Motion to Modify Conditions of Release."

JAIRO AGUDELO,
By his attorney,

Date: May 22, 2020

/s/ Henry Fasoldt
C. Henry Fasoldt (BBO# 667422)
185 Devonshire Street
Suite 302
Boston, MA 02110
henry@bostondefenselaw.com

CERTIFICATE OF SERVICE

I hereby certify that this document was served by electronic delivery on AUSAs Lauren Graber and Jared Dolan on May 22, 2020.

/s/ Henry Fasoldt
C. Henry Fasoldt

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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v.)

CRIMINAL NO. 20-cr-10025

JAIRO AGUDELO,)

Defendant.)

**AFFIDAVIT IN SUPPORT DEFENDANT'S MOTION TO MODIFY
CONDITIONS OF SUPERVISED RELEASE**

I, Henry Fasoldt, swear and affirm:

- 1) I am counsel for Jairo Agudelo;
- 2) Mr. Agudelo is married to Maria Viera;
- 3) Ms. Viera owns and operates a business called Yellow Glow;
- 4) She requires the physical assistance of her husband on Friday, May 22, 2020 for approximately five (5) hours;
- 5) Mr. Agudelo has honored his conditions of release;
- 6) Before filing this motion, Mr. Agudelo sought permission from supervising probation officer Marlenny Ramdehal. Because this request was made with insufficient warning, Ms. Ramdehal denied his request and told Mr. Agudelo that he must obtain permission of the court.
- 7) I "conferred and have attempted in good faith to resolve or narrow the issue" of modifying Mr. Agudelo's release condition under Local Rule 7.1(a)(2). In email correspondence with AUSAs Lauren Graber and Jared Dolan, the government stated that it assents to the motion.

Date: May 22, 2020

/s/ Henry Fasoldt

C. Henry Fasoldt

CERTIFICATE OF SERVICE

I hereby certify that this document was served by electronic delivery on AUSAs Lauren Graber and Jared Dolan on May 22, 2020.

/s/ Henry Fasoldt
C. Henry Fasoldt